

REMARKS

SUMMARY OF CLAIM STATUS

Claims 1-12, 14-26 and 28-48 are pending. Claims 1-5, 8, 9, 12, 14-16, 28-33, 36, 37, 40-42, 44 and 47 rejected. Claims 6, 7, 10, 11, 17, 18, 34, 35, 38, 39, 43, 46 and 48 are objected to as depending from a rejected base claim, but would be otherwise allowable if properly rewritten in independent form. Claims 19-26 are allowed. Applicants thank the Examiner for this acknowledgement of allowable subject matter.

Applicants request the favorable reconsideration of the claims and withdrawal of the pending rejections and objections, in light of the amendments and the following remarks.

CLAIM REJECTIONS

35 U.S.C. §103

Claims 1, 2, 4, 5, 8 and 9 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent 6,201,829 to Schneider, in view of U.S. Patent Application 2001/0009553 by Homann et al.

Examiner states that the combination of Schneider and Homann discloses a programmable gigabit transceiver with the elements of Applicants' claimed invention. Applicants respectfully disagree. However, in the interest of expedited examination, Applicant has amended Claim 1 to incorporate the allowable limitations of Claim 6, making Claim 1 allowable for at least that reason. Claims 2, 4, 5, 8 and 9 depend from and further limit Claim 1. Claims 2, 4, 5, 8 and 9 are, therefore, allowable and Applicants respectfully urge their allowance.

Claim 3 is rejected under 35 U.S.C. §103(a) as being unpatentable over Schneider, in view of Homann as applied to Claim 2 above, in further view of U.S. Patent 6,798,828 to Phanse. However, the amendment of Claim 1 makes this rejection of Claim 3 moot, and Applicants respectfully request its withdrawal.

Claims 12, 14 and 16 are rejected under 35 U.S.C. §103(a) as being unpatentable over Schneider, in view of Homann and U.S. Patent Application 2004/0012447 by Nagashi et al. Applicants respectfully disagree with the rejections. However, Claim 12 has been amended herein by the addition of limitations analogous to the allowable limitations of Claim 6. Claim 12 is allowable for at least that reason. Claims 14 and 16, dependent from Claim 12, are allowable for at least the same reason. Applicants respectfully request the withdrawal of the rejections of Claims 12, 14 and 16.

Claim 15 is rejected under 35 U.S.C. §103(a) as being unpatentable over Schneider, Homann and Nagashi in further view of Phanse. Applicants respectfully disagree with Examiner's interpretation of the cited art and with the rejection. However, Claim 15 depends from and further limits allowable Claim 12, thus the rejection of Claim 15 is moot. Applicants request the withdrawal of the rejection.

Claims 28, 40 and 47 are rejected under 35 U.S.C. §103(a) as being unpatentable over Schneider in view of U.S. Patent Application 2001/0055331 by Agazzi et al. . Applicants respectfully disagree with the rejection. However, Claim 28 has been amended to incorporate the allowable limitations of Claim 34, including the limitations of intervening Claim 29. For at least this reason, Claim 28 is allowable. Claims 40 and 47 depend from and further limit Claim 28 and are also allowable. Applicants respectfully request the withdrawal of the rejections of Claims 28, 40 and 47.

Claims 29-33, 36, 37, 41, 42 and 44 are rejected under 35 U.S.C. §103(a) as being unpatentable over Schneider and Agazzi as applied to Claims 28 and 40 above and further in view of Homann. However, Claim 29 has been cancelled, its limitations being incorporated into independent Claim 28. Claims 30 and 36 have been amended to reflect proper dependency from Claim 28. Claims 30-33, 36, 37, 41, 42 and 44 depend from and further limit Claim 28 and thus share its allowability. Applicants respectfully request withdrawal of the rejection of Claims 29-33, 36, 37, 41, 42 and 44.

Claim 45 is rejected under 35 U.S.C. §103(a) as being unpatentable over Schneider, Agazzi and Homann as applied to Claim 44 and further in view of Phanse. Applicants respectfully disagree with the rejection. However, the rejection is moot as Claim 45 depends from and further limits allowable Claim 28. Applicants request the withdrawal of the rejection.

CLAIM OBJECTIONS

Claims 6, 7, 10, 11, 17, 18, 34, 35, 38, 39, 43, 46 and 48 are objected to as depending from a rejected base claim, but would be otherwise allowable if properly rewritten in independent form. Applicants thank the Examiner for this recognition of allowable subject matter. However, Claim 6 has been cancelled and its allowable limitations have been incorporated into its independent Claim 1. Claims 7, 10 and 11 depend from allowable Claim 1 and are therefore allowable. Similarly, Claim 17 has been cancelled and its allowable limitations have been incorporated into independent Claim 12. Claim 18 depends from Claim 12 and for at least that reason shares its allowability. Claim 34 has also been cancelled and its allowable limitations have been incorporated into allowable independent Claim 28, including intervening claim limitations. Claims 35, 38, 39, 43, 46 and 48 depend, directly or indirectly, from Claim 28 and are, therefore, allowable. For these reasons, the objections to Claims 6, 7, 10, 11, 17, 18, 34, 35, 38, 39, 43, 46 and 48 should be withdrawn.

ALLOWABLE SUBJECT MATTER

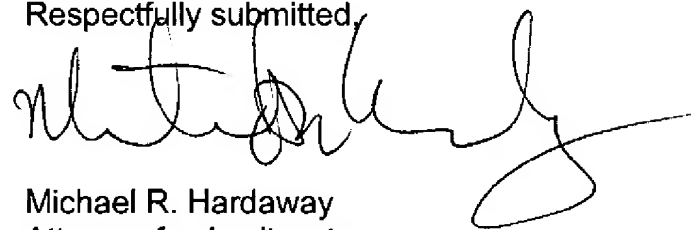
Claims 19-16 have been allowed. Applicants again thank the Examiner for recognition of allowable subject matter.

CONCLUSION

Claims 1, 5, 12, 19, 28, 30, 35, 36, 38, 39 have been amended herein. Claims 6, 17, 29, 33 and 34 has been cancelled herein. Claims 13 and 27 have been cancelled previously. Accordingly, all remaining pending claims are in condition for allowance. An expeditious Notice of Allowance is respectfully requested.

If there are any questions, the Applicants' attorney can be reached at Tel: 408-879-6149.

Respectfully submitted,



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I hereby certify that this correspondence is being filed via EFS-Web with the United States Patent and Trademark Office on January 8, 2008.

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